

**CITY OF MILPITAS  
APPROVED**

**PLANNING COMMISSION SUBCOMMITTEE MINUTES**

**February 14, 2007**

**I.  
ROLL CALL**

Present: Ciardella, Mandal and Sandhu  
Absent: None  
Staff: Bejines and Reliford

**1. "S" ZONE  
APPROVAL  
AMENDMENT  
SA2006-51 NO.**

Felix Reliford, Principal Planner, presented a request for the approval of pedestrian trail amenities as required by Condition No. 16 of Use Permit No. UP2002-43 and "S" Zone No. SZ2003-13 which addressed the design of the proposed 65-unit subdivision in the Town Center development approved by the Planning Commission on March 24, 2004. Condition No. 16 states that: "Prior to any permit issuance, permit plans shall be submitted and approved by the Planning Commission Subcommittee that includes increased amenities to be provided along all portions of the pedestrian trail to further delineate and connect all broken segments of the trail. (P, PC)". The project site is located at 555 E. Calaveras Blvd., east of Milpitas Boulevard and north of Calaveras Boulevard. Mr. Reliford recommended approval with conditions.

Commissioner Mandal asked if there will be exercise equipment along the trails and Mr. Reliford said No.

Commissioner Mandal asked if there is a power line going right under the trail and the applicant said yes but they are enhancing the trail with approval plant material.

Commissioner Ciardella asked if the plant material is drought tolerant and the applicant said yes. Mr. Reliford added that the City tries to use recycled water where appropriate.

Commissioner Ciardella said it doesn't seem necessary to have a walkway if there is a trail already. Mr. Reliford said the walkway is to enhance the area.

Commissioner Ciardella suggested a streetlight be installed along the dirt path near the bridge because of safety concerns for residents.

Mr. Reliford suggested the following condition of approval be added and the applicant agreed:

- *The applicant shall install an over-head security lighting along the trail adjacent to the pedestrian bridge. The proposed over-head security lighting shall not be intrusive to the future residential development. The lighting shall be installed at the same time as the landscaping and amenities are installed along the walking pedestrian trail.*

**Motion** to approve "S" Zone Amendment No. SA2006-51 with the conditions in the staff report and the added special condition stated above.

M/S: Mandal/Ciardella

AYES: 2

NOES: 0

**II. ADJOURNMENT**

The meeting was adjourned at 6:50 p.m.

**APPROVED**

**PLANNING COMMISSION MINUTES**

**February 14, 2007**

**I.  
PLEDGE OF  
ALLEGIANCE**

Chair Williams called the meeting to order at 7:00 P.M. and led the Pledge of Allegiance.

**II.  
ROLL CALL**

Present: Azevedo, Ali-Santosa, Ciardella, Mandal, Sandhu, Tabladillo and Williams

Absent: None

Staff: Bejines, Lowe, Pio Roda and Reliford

**III.  
PUBLIC FORUM**

Chair Williams invited members of the audience to address the Commission on any topic not on the agenda, noting that no response is required from the staff or Commission, but that the Commission may choose to agendize the matter for a future meeting.

There were no speakers from the audience.

**IV.  
APPROVAL OF MINUTES  
January 24, 2007**

Chair Williams called for approval of the minutes of the Planning Commission meeting of January 24, 2007.

Staff had no changes.

**Motion** to approve the minutes of January 24, 2007.

M/S: Sandhu/Mandal

AYES: 7

NOES: 0

**V.  
ANNOUNCEMENTS**

Felix Reliford, Principal Planner, announced that staff has met with the developer and HOA in regards to the issues pertaining to Parc Place and is in the process of resolving those issues with the residents and the developer. He also announced that the Planner's Institute will be held in San Diego this year from March 21<sup>st</sup> through March 23<sup>rd</sup> and there is enough budget for four commissioners to attend which includes registration, hotel and air. For the commissioners who are interested, please notify Chair Williams and staff.

Commissioner Ciardella announced that Mabel Butler, crossing guard for the City of Milpitas, was struck by a car and died of complications. He asked that the Commission adjourn in her memory.

**VI.  
CONFLICT  
OF INTEREST**

Assistant City Attorney Pio Roda asked if the Commission has any personal or financial conflict of interest on tonight's agenda.

There were no Commissioners that identified a conflict of interest.

**VII.  
APPROVAL OF  
AGENDA**

Chair Williams called for approval of the agenda.

Staff has no changes to the agenda.

**Motion** to approve the agenda.

M/S: Azevedo/Ali-Santosa

AYES: 7

NOES: 0

**VIII.  
CONSENT CALENDAR  
No Items**

Chair Williams asked whether staff, the Commission, or anyone in the audience wished to remove or add any items to the consent calendar.

There were no items on consent.

**IX.  
PUBLIC HEARING**

**1.       USE       PERMIT  
AMENDMENT       NO.  
UA2006-11**

Kristine Lowe, Associate Planner, presented a request to amend an existing use permit to allow a table service restaurant (New India Chaat Café) to occupy an approximately 1,400 square foot tenant space previously permitted as a small grocery store and take-out restaurant. The project includes a change of seating from 4 (four) approved seats to 20 (twenty) seats. No changes to the 7 (seven) parking spaces required for the use, exterior modifications to the building or alcohol sales are proposed. The project is located at 454 South Main Street. Mrs. Lowe recommended approval with conditions based on the findings in the staff report.

Commissioner Mandal was concerned about the seven parking spaces being allocated for the restaurant knowing the traffic history in the complex and asked staff if that would be sufficient parking. Mrs. Lowe said that the parking is based on the City's parking standard of 1 parking space per 3 seats plus ten percent. Based on the City's parking requirements, it does equate to seven spaces and does satisfy the City's parking requirement.

Commissioner Mandal asked what are the total parking spaces in the shopping center. Mrs. Lowe said there are 94 total parking spaces including the rear, the sides and the front of the building.

Commissioner Mandal asked where would a customer park if there was no parking spaces and Mrs. Lowe said they could park in the back or in the northern part of the building.

Chair Williams added that there is street parking across from the restaurant as well. Mrs. Lowe said the intent is for any parking to be handled on site.

Chair Williams introduced the applicant.

**Elvira Sladky, owner of 454 S. Main street**, said the restaurant used to be a Filipino restaurant and now that she wants to sell it, she was unaware that there were no permits for seating inside. She is trying to correct the problem now and is asking the Commission to approve the permit.

Commissioner Azevedo asked if she is the owner of the building and Ms. Sladky said no.

**Motion** to close the public hearing.

M/S: Tabladillo/Azevedo

AYES: 7

NOES: 0

**Motion** to approve Use Permit Amendment No. UA2006-11 based on the findings and conditions noted in the staff report.

M/S: Azevedo/Ciardella

AYES: 7

NOES: 0

**X.  
ADJOURNMENT**

The meeting was adjourned at 7:15 p.m. to the next regular meeting of February 28, 2007 in memory of Mabel Butler, crossing guard who passed away.

Respectfully Submitted,

Felix Reliford  
Principal Planner

Veronica Bejines  
Recording Secretary